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JUN 14 2005

OFFICE OF PETITIONS

In re Application of
Yang, Ching & Cai
Application No.: 10/609,050
Filed: June 27, 2003
Attorney Docket No.: 2039.017500
For: OXYGEN SCAVENGING POLYMERS AS
ACTIVE BARRIER TIE LAYERS IN
MULTILAYERED STRUCTURES

DECISION ACCORDING STATUS
UNDER 37 CFR 1.47(a)

This is a decision on the reconsideration petition under 37 CFR 1.47(a), filed February 9, 2004 (certificate of mailing date February 5, 2004).

The petition is **GRANTED**.

Petitioners have shown that the non-signing inventor, Gangfeng Cai, has constructively refused to join in the filing of the above-identified application after having been presented with the application papers. Specifically, the original petition, signed by Agent Eich, explains that non-signing joint inventor Cai was mailed and received a copy of the application and declaration for the above-identified application, but did not respond to two separate written requests that he sign the declaration for the patent application. Petitioners have submitted a declaration in compliance with 37 CFR 1.63 and 1.64.

This application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

After this decision is mailed, the above-identified application will be forwarded to Publications Division.

Telephone inquiries should be directed to the undersigned at (571) 272-3230.

A handwritten signature in black ink, reading "E. Shirene Willis". The signature is written in a cursive style with a large initial "E".

E. Shirene Willis
Senior Petitions Attorney
Office of Petitions



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GANGFENG CAI
2502 EARLY BIRD LANE
ARLINGTON, TX 76001

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LETTER OFFICE OF PETITIONS

In re Application of
Yang, Ching & Cai
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Filed: June 27, 2003
Attorney Docket No.: 2039.017500
For: OXYGEN SCAVENGING POLYMERS AS
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Dear Mr. Cai:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Requests for information regarding your application should be directed to the File Information Unit at (703)308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703)308-9726 or 1(800)972-6382 (outside the Washington D.C. area).

Telephone inquiries regarding this communication should be directed to the undersigned at (571) 272-3230.

E. Shirene Willis
Senior Petitions Attorney
Office of Petitions

ATTORNEY OF RECORD: WILLIAMS, MORGAN & AMERSON, P.C.
10333 RICHMOND, SUITE 1100
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